IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1919 OF 2007

Dilip Shantaram Wavare ..Petitioner

Vs.

State of Maharashtra and ors. ..Respondents

Mr. Y.M. Kanchan for petitioner.
Ms. S.V. Gajare, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : October 16, 2007.

P.C.:

. Heard the learned counsel for the petitioner. The learned Additional Sessions Judge was right in holding that a Criminal Revision Application under Section 397 of Cr.P.C. would not be entertained against the order impugned which is apparently passed under Section 256 of Cr.P.C. and the accused nos.1 to 4 have been acquitted. The only remedy available to the petitioner is to file an appeal against acquittal by applying for special leave to appeal under Section 378 (4) of Cr.P.C.

. Petition is, therefore, rejected with liberty as is available in law.

(B.H. Marlapalle,J.)